## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:21-cv-00682-FDW-DSC

KELLEY PHELPS,	)
Plaintiff,	)
VS.	) ) ORDER
CPI SECURITY SYSTEMS, INC. and KENNETH GILL,	) ORDER
Defendants.	) ) _)

THIS MATTER is before the Court on Defendants' Motion for Judgment on the Pleadings, (Doc. No. 15), filed on April 8, 2022, wherein Defendants move this Court to dismiss Plaintiff's Complaint, (Doc. No. 1-1), pursuant to Rule 12(c) of the Federal Rules of Civil Procedure. On April 13, 2022, Plaintiff filed a Motion to Amend her Complaint, (Doc. No. 17), and on May 5, 2022, the Court granted her Motion to Amend. Plaintiff subsequently timely filed her Amended Complaint. (Doc. No. 21).

Since Plaintiff's original Complaint has since been superseded by her Amended Complaint, Defendants' Motion for Judgement on the Pleadings must be denied as moot. <u>Young v. City of Mount Ranier</u>, 238 F.3d 567, 572 (4th Cir. 2001) (citing <u>In re Crysen/Montenay Energy Co.</u>, 226 F.3d 160, 162 (2d Cir. 2000)) ("[A]n amended pleading ordinarily supersedes the original and renders it of no legal effect.").

IT IS THEREFORE ORDERED that Defendants' Motion for Judgment on the Pleadings (Doc. No. 15) is DENIED WITHOUT PREJUDICE as moot.

Signed: June 13, 2022

Frank D. Whitney United States District Judge